

VZCZCXR07734

OO RUEHBC RUEHDBU RUEHDE RUEHDH RUEHDT RUEHKUK RUEHLH RUEHPB RUEHPW  
RUEHROV RUEHTRO  
DE RUEHJA #1569/01 2600846  
ZNY CCCCC ZZH  
O 170846Z SEP 09  
FM AMEMBASSY JAKARTA  
TO RUEHC/SECSTATE WASHDC IMMEDIATE 3359  
INFO RUCNARF/ASEAN REGIONAL FORUM COLLECTIVE PRIORITY  
RUCNISL/ISLAMIC COLLECTIVE  
RHEHNSC/NSC WASHDC

C O N F I D E N T I A L SECTION 01 OF 02 JAKARTA 001569

SIPDIS

DEPT FOR EAP, EAP/MTS, EAP/MLS, EAP/RSP, DRL, DRL/IRF  
NSC FOR D. WALTON

E.O. 12958: DECL: 09/18/2009

TAGS: PGOV PREL KISL SOCI ID

SUBJECT: CENTRAL GOVERNMENT TO REVIEW CONTROVERSIAL ACEH STONING LAW

REF: JAKARTA 1533

Classified By: Pol/C Joseph L. Novak, reasons 1.4(b+d).

¶11. (U) This message was coordinated with Consulate Medan.

¶12. (C) SUMMARY: Stepping in to try to quell a firestorm of outrage, President Yudhoyono's spokesman has announced that the central government would work to strike down a controversial new Sharia bylaw in Aceh on constitutional grounds. On September 14, the outgoing Aceh Provincial Parliament unanimously passed the bylaw which mandates that those convicted of adultery be stoned to death, among other extreme measures. In line with EU colleagues, Mission has expressed its concern to GOI contacts, urging revocation of the bylaw. END SUMMARY.

JAKARTA PROTESTS NEW BYLAW

¶13. (SBU) Jakarta does not approve of the controversial new Aceh Sharia bylaw (see reftel). Presidential spokesman Andi Mallarangeng announced on September 16 that the central government would work to revoke the stoning for adultery plus other provisions of the new bylaw passed by the Aceh Provincial Parliament on September 14. He said the law contradicted the Indonesian Constitution. Mallarangeng mentioned the "massive and unflattering" international news coverage that the story of the bylaw has netted for Indonesia. (Note: The Sharia bylaw imposes death by stoning for married adulterers and public caning and prison terms for local Muslim residents convicted of homosexuality, pedophilia and/or rape. Per reftel, the bylaw has very little chance of ever being implemented. It was passed by the outgoing legislative council and will likely not be supported by the incoming council, which will be more secular in political make-up.)

¶14. (SBU) The Minister of Home Affairs, Mardiyanto (one name only), confirmed that the central government would formally ask the Supreme Court to review the bylaw. The Minister emphasized that Aceh--which has regional autonomy in the aftermath of a decades-old conflict that ended in 2005--must nonetheless respect the Constitution and the laws of Indonesia.

CIVIL SOCIETY IS OUTRAGED

¶15. (U) The bylaw has sparked widespread outrage in Indonesia. Women's and civil society groups both in Aceh and around the country have strongly condemned the new law as unconstitutional, saying it violates basic human rights, a protection guaranteed in the country's Constitution. The National Commission on Violence against Women Chair Kamala Chandrakirana demanded that the central government also

review Aceh's special autonomy law, and urged President Yudhoyono to take "political action" to review all bylaws throughout the country that may discriminate against women and violate human rights. The Commission's deputy chair stated in a press conference that the issue of special status granted to Aceh should not give Aceh "free rein to disregard" the Constitution and other core elements of Indonesian law.

¶6. (U) Echoing these remarks, Ifdhal Kasim, Chair of the National Commission on Human Rights, also condemned the bylaw stating, "This will bring Aceh back to the past. Throwing stones is like Aceh in the 14th and 15th century. It is cruel and degrading." Karim confirmed that his body planned to launch an investigation into how the law was passed and "how to prevent such laws from being passed anywhere in the country in the future."

#### PRESSING THE GOI

¶7. (C) In private discussions, Mission continues to urge the Indonesian government to take what steps it can to revoke the law. Pol/C has made the point that the law is a serious embarrassment to Indonesia and contrary to human rights norms.

While the U.S. firmly respects special autonomy and decentralization, such laws cannot be allowed to stand in a democratic set up that seeks to protect the human rights of all citizens. In a September 16 meeting with Pol/C, Gembong Priyono, an assistant to Vice President Kalla, underscored that "something must be done about the law." He said Kalla himself was "shocked and alarmed" about the law, and "could not support it." (Note: Kalla played a key role in negotiating the peace in Aceh.) Theo Sambuaga, the head of the Parliamentary commission dealing with foreign affairs and

JAKARTA 00001569 002 OF 002

defense, told Pol/C that the law was "repugnant."

¶8. (C) The European Commission has also expressed its concern to the GOI. Charles Whitely, Pol/C at the Commission's Mission in Jakarta, told Pol/C on September 16 that EU member-states had been tasked with approaching contacts and expressing their concern. The Swedish Ambassador, as representative of the EU presidency, planned to meet with Foreign Minister Wirajuda on the matter.

OSIUS